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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 02-008

#### Comments

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]**

#### **4. Adequacy of References to Related Statutes, Rules and Forms**

Neither the analysis nor the rule make reference to s. 15.08 (5) (a), Stats., under which the examining board “[m]ay compel the attendance of witnesses . . . .” The rule would allow one request, possibly misaddressed, to establish a rebuttable presumption that the credential holder who takes longer than 30 days to respond has engaged in unprofessional conduct. Should there be some reference to s. 15.08 (5) (a), Stats., and an attempt to first compel the attendance of the credential holder as a witness, before establishing such a rebuttable presumption?

#### **5. Clarity, Grammar, Punctuation and Use of Plain Language**

a. The analysis uses the term “credential holder” and the term “licensee” interchangeably. “Credential holder” should be used consistently since “credential holder” is the term used in the rule.

b. The rule states: “After a request by the department,” but the analysis states that the request at issue is by “the board.” Should “board” be used instead of “department” in the rule?